

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	NO. 12-cr-40004-JPG
)	
MONTARICO C. JOHNSON,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Before the Court is a *pro se* motion from defendant Montarico Johnson seeking copies of the docket sheet in his criminal case (Doc. 104). He claims to need the docket sheet to prepare a brief in his appeal. Johnson filed this motion *pro se*, although he is represented by counsel. A defendant does not have a right to file his own motions when he is represented by counsel. *See Hayes v. Hawes*, 921 F.2d 100, 102 (7th Cir. 1990) (*per curiam*). “Representation by counsel and self-representation are mutually exclusive.” *Cain v. Peters*, 972 F.2d 748, 750 (7th Cir. 1992). So-called “hybrid representation” confuses and extends matters at trial and in other proceedings and, therefore, it is forbidden. *See United States v. Oreye*, 263 F.3d 669, 672-73 (7th Cir. 2001). The Court may strike as improper any such *pro se* motions. *See, e.g., United States v. Gwiazdzinski*, 141 F.3d 784, 787 (7th Cir. 1998). Furthermore, the Court has reviewed the docket sheet in Johnson’s appeal (No. 12-3229) and has determined that there is no *pro se* brief due from Johnson at this time for which the docket sheet would be necessary. The Court hereby **ORDERS** that Johnson’s motion (Doc. 104) be **STRICKEN**. If Johnson wishes to purchase a copy of the docket sheet for his own personal use, he may contact the Clerk of Court to find out how much it will cost.

IT IS SO ORDERED.
DATED: April 16, 2013

s/ J. Phil Gilbert
J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE